

March 4, 1996

LB 754, 952
LR 329, 330

accurate and would have those resources available to the members. So there have been a number of even chases in the last couple of weeks that have gone across a number of counties, across the different parts of our state, that have ended with no injury or damages to anyone. So it is certainly not that every time there is a pursuit we end up with the type of tragedy that has occurred in the instances that Senator Chambers has brought to us.

SENATOR BERNARD-STEVENSON: Thank you, Senator Maurstad. Mr. Clerk, we have an amendment? And then we have items for the record before we get to that opening on the amendment.

CLERK: Thank you, Mr. President. New resolution. (Read brief summary of LR 329 and LR 330.) Those will both be laid over. Amendments, Senator Beutler to LB 952; Senator Maurstad to LB 952; Senator Lindsay to LB 952; Senator Bernard-Stevens to LB 754. (See pages 1015-19 of the Legislative Journal.)

Mr. President, Senator Lindsay would move to amend Senator Chambers' amendment... or Senator Maurstad's amendment, excuse me. (Lindsay amendment, FA481, appears on page 1019 of the Legislative Journal.)

SENATOR BERNARD-STEVENSON: Senator Lindsay, you're recognized to open.

SENATOR LINDSAY: Thank you, Mr. President, members. This amendment... I want to make clear first, in most cases involving police pursuits, of course, the person who's going to be most responsible is going to be the fleeing driver. Also the person who's going to be least financially responsible is going to be the fleeing driver. So when we put that in, we put the fleeing driver into this formula, we don't want to send messages or be symbolic because this has an absolute, bottom line impact on the injured party. What this amendment seeks to do is to strike, as you have it passed out on you, or on your desk, it strikes the fleeing driver from those lists of persons among whom that allocation is made, and not to absolve the fleeing driver at all. Fleeing driver is still going to be responsible. If there's anything there, there's going to be a responsibility to the injured party. But it's to take it out of that allocation formula. And the reason for that is, as Senator Maurstad, I think, accurately described the way our comparative fault system